

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Margarita GARCIA-CALVO
Title: NPC1L1 (NPC3) AND METHODS OF
IDENTIFYING LIGANDS THEREOF
Appl. No.: 10/586,310
International Filing Date: 1/14/2005
371(c) Date: 05/31/2007
Examiner: Shafiqul Haq
Art Unit: 1641
Confirmation Number: 2509

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be

appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English and are being submitted for consideration. The attached references were previously submitted in an Information Disclosure Statement filed October 25, 2006, but were not considered by the Examiner due to omission of dates in their citations. Therefore, we are re-submitting them for reconsideration, with indication in the citations of the omitted dates.

For the GenBank citations, Applicants have indicated on the accompanying SB/08 form the date of last modification as disclosed in the submitted documents. For the Zetia™ product insert sheet, Applicants have indicated on the accompanying SB/08 form the issue date as disclosed in the document. For the web-based article pertaining to Mouse Gene Informatics (MGI), Applicants have indicated on the accompanying SB/08 form the date that Applicants retrieved the document from the internet.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

FEE

A credit card payment form in the amount of \$180.00 is enclosed in accordance with 37 CFR §1.17(p) to cover the fee associated with an information disclosure statement under 37 CFR §1.97(d) in the amount of \$180.00.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this submission under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741.

Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 14-Sep-2010

By /Rouget F. Henschel/

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 295-4059
Facsimile: (202) 672-5399

Rouget F. Henschel
Attorney for Applicant
Registration No. 39,221